

AMENDED IN ASSEMBLY MAY 25, 2012

AMENDED IN ASSEMBLY MAY 2, 2012

AMENDED IN ASSEMBLY APRIL 10, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2132

Introduced by Assembly Member Lara

February 23, 2012

An act to add Article 5.4 (commencing with Section 66054) to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2132, as amended, Lara. Public postsecondary education: tenure policy.

Existing law authorizes the granting of tenure to academic employees in public postsecondary institutions. The existing Donahoe Higher Education Act sets forth the missions and functions of the segments of postsecondary education in this state, including the 3 public postsecondary segments: the California Community Colleges, the California State University, and the University of California. Provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, make those provisions applicable. Existing provisions of the act express the intent of the Legislature that the 3 public postsecondary segments adopt and enforce policies and procedures that ensure that teaching is an important factor in the evaluation of faculty for appointment, retention, promotion, and tenure.

This bill would express the intent of the Legislature that the California State University and the University of California develop and adopt tenure policies aimed at encouraging and rewarding service, both to the campus community and to the community outside of the campus, provided by faculty members.

The bill would require the Trustees of the California State University, and request the regents, to take specified actions during the 2013–14 academic year, ~~for implementation commencing with the 2014–15 academic year, to recognize and reward service as appropriate for each discipline, as specified, and to develop and distribute throughout their respective segments transparent criteria for tenure that include service, to identify opportunities for service for tenure track faculty, and to encourage and reward participation in these types of service by giving favorable consideration to candidates for tenure who successfully participate in these service activities if criteria of that type that are academically appropriate for each discipline have not previously been adopted in that segment.~~ The bill would also require the trustees, and request the regents, to consult with the academic senates of their respective segments and with student and community organizations and to act consistently with applicable collective bargaining agreements in carrying out these responsibilities.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 5.4 (commencing with Section 66054) is
2 added to Chapter 2 of Part 40 of Division 5 of Title 3 of the
3 Education Code, to read:

4

5 Article 5.4. Tenure Policy

6

7 66054. (a) The Legislature finds and declares all of the
8 following:

9 (1) In subdivision (a) of Section 66052, the Legislature has
10 specifically found and declared that “there is a need to encourage
11 policies that enhance the quality of teaching within the segments
12 of higher education.”

13 (2) In subdivision (b) of Section 66052, the Legislature has
14 specifically expressed its intent “that the University of California

1 adopt and enforce policies and procedures which ensure that quality
2 teaching is an essential criterion, along with research, in the
3 evaluation of faculty for appointment, retention, promotion, and
4 tenure.”

5 (3) In subdivision (b) of Section 66052, the Legislature also
6 specifically expressed its intent “that the California State University
7 and the governing board of each community college district adopt
8 and enforce policies and procedures that ensure that teaching is
9 given primacy in the evaluation of faculty for appointment,
10 retention, promotion, and tenure.”

11 (4) A common attribute of an outstanding ~~teacher~~ *faculty*
12 *member* is the willingness of that ~~faculty member~~ to expend time
13 and energy in *giving teaching, research, and service* ~~both~~ to the
14 campus community and to the greater community outside of the
15 campus ~~where he or she teaches~~.

16 (5) This service can take many forms, which *may* include, but
17 are not limited to, the following: ~~involvement in civic activities,~~
18 ~~advising and tutoring students, working in outreach programs~~
19 ~~aimed at promoting cultural diversity in the student body, teaching~~
20 ~~extension and service-learning courses, and consulting with or~~
21 ~~addressing student and community organizations serving on~~
22 ~~community boards and committees, engaging in civic activities,~~
23 ~~working in outreach programs developed to promote cultural~~
24 ~~diversity in the student body, consulting with public and~~
25 ~~governmental agencies designed to address student and community~~
26 ~~needs, developing programs for underserved populations, research~~
27 ~~and creative activities that benefit our communities, consulting~~
28 ~~with or addressing student and community organizations, or any~~
29 ~~other service activities that are focused on improving the health~~
30 ~~and well-being of society.~~

31 (b) Therefore, it is the intent of the Legislature that the California
32 State University and the University of California develop and adopt
33 tenure policies aimed at encouraging and rewarding the service,
34 both to the campus community and to the community outside of
35 the campus, that is valuably and selflessly provided by so many
36 faculty members throughout the segments.

37 66054.1. (a) The Trustees of the California State University
38 shall, and the Regents of the University of California are
39 encouraged to, accomplish ~~all~~ *both* of the following during the

1 2013–14 academic year, ~~for implementation commencing with the~~
2 ~~2014–15 academic year:~~

3 *(1) Recognize and reward service as appropriate for each*
4 *discipline. The significant service contributions of a candidate for*
5 *tenure shall be documented before those service contributions may*
6 *be used as a basis for a favorable tenure decision.*

7 ~~(1)~~

8 *(2) Develop and distribute throughout their respective segments*
9 *transparent criteria for tenure that include service, both to the*
10 *campus community and to the community outside of the campus,*
11 *as if no criteria of that type that are academically appropriate for*
12 *each discipline have previously been adopted in that segment.*
13 *Service is a critical factor in the evaluation of a candidate for*
14 *tenure.*

15 ~~(2) Identify, and notify tenure track faculty about, opportunities~~
16 ~~for the types of service that satisfy the criteria developed under~~
17 ~~paragraph (1):~~

18 ~~(3) Encourage and reward participation in the types of service~~
19 ~~identified under paragraph (2) by giving favorable consideration~~
20 ~~to candidates for tenure who successfully participate in these~~
21 ~~service activities and can substantiate how this participation~~
22 ~~informs and enriches their teaching.~~

23 *(b) In fulfilling their responsibilities under subdivision (a), the*
24 *trustees shall, and the regents are encouraged to, do both of the*
25 *following:*

26 *(1) Consult with the academic senates of their respective*
27 *segments and with student and community organizations.*

28 *(2) Take actions that are consistent with applicable collective*
29 *bargaining agreements.*